



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
Metro Office Building
800 Second Avenue South
Nashville, Tennessee 37201

**Minutes
Of the
Metropolitan Planning Commission**

June 14, 2007

4:00 PM

*Metro Southeast at Genesco Park
1417 Murfreesboro Road*

PLANNING COMMISSION:

Phil Ponder, Vice Chairman
Stewart Clifton
Judy Cummings
Tonya Jones
Ann Nielson
Councilman J.B. Loring
Eileen Beehan, representing Mayor Bill Purcell

Staff Present:

Rick Bernhardt, Executive Director
Ted Morrissey, Legal Counsel
Jason Swaggart, Planner I
Trish Brooks, Admin. Svcs. Officer 3
Carrie Logan, Planner I
Craig Owensby, Communications Officer
Nedra Jones, Planner II
Brian Sexton, Planner I
Bob Leeman, Planner III
Greg Johnson, Planner II

Commission Members Absent:

James McLean, Chairman
Victor Tyler

I. CALL TO ORDER

The meeting was called to order at 4:20 p.m.

II. ADOPTION OF AGENDA

Ms. Nedra Jones announced the following: "As information for our audience, if you are not satisfied with a decision made by the Planning Commission today, you may appeal the decision by petitioning for a writ of cert with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Planning Commission's decision. To ensure that your appeal is filed in a timely manner, and that all procedural requirements have been met, please be advised that you should contact independent legal counsel."

Mr. Bernhardt announced there was one additional item for both the Agenda, as well as the Consent Agenda. It was Item #27, Extension of a Preliminary Plat for Brentwood Knoll subdivision. Mr. Bernhardt explained that the applicant provided information to the staff for this extension. Upon review of the information and site visits of the area, it is staff's recommendation to the Commission, to approve the extension of the preliminary plat for the Brentwood Knoll subdivision until February 25, 2008.

Mr. Loring moved, and Ms. Nielson seconded the motion, which passed unanimously to adopt the agenda as amended. **(6-0)**

7/17/2007 1:11:28 PM

III. APPROVAL OF MAY 24, 2007, MINUTES

Ms. Nielson moved and Mr. Loring seconded the motion, which passed unanimously, to approve the minutes of May 24, 2007. (6-0)

IV. RECOGNITION OF COUNCILMEMBERS

Councilman Foster spoke in favor of Item #19, 2007S-138U-12, Oak Hill Townhomes which was on the Consent Agenda for approval.

Councilman Hunt spoke regarding Item #13, 2007Z-107G-01. He explained that he, as well as his constituents, were not in favor of this proposed zone change and requested that it be deferred. He stated that the applicant was in agreement of the requested deferral so that they could examine alternative zoning more appropriate for this area.

Councilwoman Williams spoke regarding Item #3, 2007UD-001U-10. She briefly explained the requested UDO in relation to Item #4, 2007Z-021U-10 and how the UDO would assist those constituents who were looking for planned growth for the area. She further explained that she would be looking for support of the UDO with the deletion of the Conditions, Covenants and Restrictions (CCR's) that are mentioned on page 51 and 53 of the UDO. With the deletion of these items, she stated that the UDO would still provide the necessary tools needed for the revitalization and growth for this area.

Councilwoman Evans spoke in favor of Item #1, 2007CP-02-07, Amendment to Subarea 7 Plan: 1999 Update. She then mentioned she was in favor of staff's recommendation to disapprove Item #18, 2007S-135A-07, West Meade Hills. She briefly mentioned that setbacks are a main characteristic of this area and the request to change them should be reviewed more comprehensively.

Ms. Cummings arrived at 4:30 p.m.

Councilman Cole spoke in favor of Item #2, 2007Z-060U-05. He briefly mentioned the support of his constituents for this overlay and stated that it would preserve the urban character of this area.

Councilwoman Wilhoite stated she would address the Commission once her item was presented for discussion.

V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

- | | | | |
|-----|----------------|---|--|
| 9. | 2007SP-081G-06 | A request to change from R20 to SP zoning property located at Hicks Road (unnumbered), approximately 1,160 feet east of Sawyer Brown Road (36.25 acres), to permit the development of 106 attached units | – deferred to June 28, 2007 at the request of the applicant due to an error in the noticing of this proposal |
| 13. | 2007Z-107G-01 | A request to rezone from AR2a to CS a portion of property from 807, 809 Claylick Court, south of I-24 (.46 acres) | – deferred indefinitely at the request of the applicant |
| 22. | 94-83-G-06 | Williamsport Subdivision, Section II (Sidewalk Removal) - Request to revise the preliminary plan and for final approval of a Planned Unit Development located on the east side of Sawyer Brown Road, to remove the approved sidewalk along one side of Williamsport Court, Briskberry Court, and Huntwood Place | – deferred to July 26, 2007 at the request of the applicant |

Ms. Nielson moved and Ms. Beehan seconded the motion, which passed unanimously, to approve the Deferred and Withdrawn items. (7-0)

VI. PUBLIC HEARING: CONSENT AGENDA COMMUNITY PLANS

1. 2007CP-02-07 Amend the Subarea 7 Plan: 1999 Update to change the land use policies for three separate areas from: from Residential Medium-High Density (RMH) to Residential Low Density (RL) policy for approximately 13 acres located between Highway 70S and Brookmont Terrace; from Residential Medium High Density (RMH) to Residential Low-Medium Density (RLM) policy for approximately 8 acres located along the north margin of Percy Warner Boulevard and the west margin of Vaughns Gap Road; and from Residential Low Density (RL) to Neighborhood Center (NC) policy for approximately 4 acres located along Highway 100. - Approve

PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

2. 2007Z-060U-05 Expansion of the Urban Zoning Overlay Boundary - Request to expand the Urban Zoning Overlay District to various properties located on Riverside Drive, Rosebank Avenue, Greenwood Avenue, Essex Avenue, McGavock Pike, Creighton Avenue, Oakhurst Drive, McKennell Drive, Carter Avenue, Porter Road, Shinkle Avenue, Dorchester Avenue, Evelyn Avenue, Litton Avenue, Piedmont Avenue, Marsden Avenue, Hanover Road. - Approve
7. 2005UD-003G-12 Carothers Crossing, Final Site Plan for a temporary sales center - Request to revise the final site plan for an Urban Design Overlay district at 7287 Carothers Road, to permit a revision to the approved site plan to allow for the 2,600 square foot temporary sales center, and equipment building and a 27 vehicle parking lot. - Approve w/conditions

ZONING MAP AMENDMENTS

10. 2007SP-099U-08 Request to change from CS to SP zoning a property located at 1702 Charlotte Avenue and from R6 to SP a portion of properties located at 11701, 1702, 1703, and 1705 Pearl Street and Pearl Street (unnumbered), to permit a hotel/motel use with a maximum of 10 beds in one structure, a 1,500 square foot outpatient clinic, and a 49,000 square foot office use for a total of 54,500 square feet. - Approve w/ conditions
14. 2007Z-108G-06 Request to change from RS40 to RS10 zoning property located at 8276 Collins Road – deferred indefinitely at the request of the applicant - Approve

CONCEPT PLANS

15. 2007S-145U-07 Patina II, 1st Rev. - Request for a revision to the previous concept plan approval to create 17 lots on properties located at 216, 218, and 222 Orlando Avenue. -Approve w/ conditions

FINAL PLATS

16. 2007S-133U-10 Noelton Plan -- A request for final plat approval to create 2 lots on property located at 3297 Lealand Lane, at the southwest corner of Lealand Lane and Battlefield Drive - Approve w/conditions
17. 2007S-134U-05 Pitts Subdivision - Request for final plat approval to create 2 lots on property located at 503 Ben Allen Road. Approve w/ conditions
19. 2007S-138U-12 Request for final plat approval to create 1 lot and dedicate drainage and utility easements on a portion of property located at 736 McMurray Drive. - Approve w/ conditions

REVISIONS AND FINAL SITE PLANS

20. 2007S-141U-10 Douglas Avenue Estates - Request for final plat approval to create 3 lots on properties located at 931 and 935 S. Douglas Avenue. - Approve w/ conditions including a variance to section 3-4.2.f of the Metro

Subdivision Regulations to allow the frontage be no less than 25% if the lot depth.

- 21. 116-69-G-06 Harpeth Hills Animal Hospital PUD (Laser Tag) - Request to revise the preliminary and for final approval for a portion of a Planned Unit Development located at 357 Clofton Drive, to permit a 2,400 square foot commercial amusement indoor facility. - Approve w/ conditions
- 23. 2004UD-002G-14 Villages of Riverwood, Phase 1 - Request for final plan approval in a portion of the Villages of Riverwood Urban Design Overlay located along the south side of Hoggett Ford Road, eastern side of Dodson Chapel Road, to permit 111 single-family lots. - Approve w/ conditions

OTHER BUSINESS

- 24. New employee contract for Chin-Cheng Chen. - Approve.

Ms. Nielson moved and Ms. Cummings seconded the motion, which passed unanimously, to approve the Consent Agenda as presented. (7-0)

VII. COMMUNITY PLANS

1. 2007CP-02-07

Amend the Subarea 7 Plan: 1999 Update to change the land use policies for three separate areas from: from Residential Medium-High Density (RMH) to Residential Low Density (RL) policy for approximately 13 acres located between Highway 70S and Brookmont Terrace; from Residential Medium High Density (RMH) to Residential Low-Medium Density (RLM) policy for approximately 8 acres located along the north margin of Percy Warner Boulevard and the west margin of Vaughns Gap Road; and from Residential Low Density (RL) to Neighborhood Center (NC) policy for approximately 4 acres located along Highway 100.

STAFF RECOMMENDATION: Approve.

Approved, (7-0) *Consent Agenda*

VIII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

ZONING MAP AMENDMENTS

2. 2007Z-060U-05

Expansion of the Urban Zoning Overlay Boundary
Map 072-07, Various Parcels
Map 072-10, Various Parcels
Map 072-11, Various Parcels
Map 072-14, Various Parcels
Map 072-15, Various Parcels
Map 083-03, Various Parcels
Subarea 5 (2006)
Council District 7 - Erik Cole

A request to expand the Urban Zoning Overlay District to various properties located on Riverside Drive, Rosebank Avenue, Greenwood Avenue, Essex Avenue, McGavock Pike, Creighton Avenue, Oakhurst Drive, McKennell Drive, Carter Avenue, Porter Road, Shinkle Avenue, Dorchester Avenue, Evelyn Avenue, Litton Avenue, Piedmont Avenue, Marsden Avenue, Hanover Road (108.99 acres), classified CN, CL, CS, OR20, MUL, R10 and RS10, requested by Councilmember Erik Cole.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST- Apply Urban Zoning Overlay

A request to expand the Urban Zoning Overlay District to various properties located on Riverside Drive, Rosebank Avenue, Greenwood Avenue, Essex Avenue, McGavock Pike, Creighton Avenue, Oakhurst Drive, McKennell Drive, Carter Avenue, Porter Road, Shinkle Avenue, Dorchester Avenue, Evelyn Avenue, Litton Avenue, Piedmont Avenue, Marden Avenue, and Hanover Road (108.99 acres), classified CN, CL, CS, OR20, MUL, R10 and RS10.

BASE ZONING

CN District - Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

CL District - Commercial Limited is intended for retail, consumer service, financial, restaurant, and office uses.

CS District - Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

OR20 District - Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

MUL District - Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

R10 District - R10 requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

RS10 District - RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

PROPOSED OVERLAY ZONING

Urban Zoning Overlay - The intent of the urban zoning overlay (UZO) district is to preserve and protect existing development patterns that predate the mid-1950s. The UZO has no effect on residentially zoned properties (single and one and two-family districts). The urban zoning overlay allows for alternative street setbacks for properties within mixed use, office, industrial, multifamily, or commercial zone districts.

The UZO district was created to improve the way development in the older urban areas of Nashville is regulated. The current zoning code was primarily designed for a newer suburban environment with a different "development pattern." For example, in the UZO area, commercial buildings are often built right up to the edge of the sidewalk. In the suburbs, they are further back from the street. Lots in the UZO area are generally smaller than they are in the suburbs, and buildings are usually closer together.

Most of the differences have to do with where buildings can be put on lots and with parking requirements.

Bulk Regulations - The section called "Contextual Street Setbacks Within the Urban Zoning Overlay District" makes it possible for buildings to be built closer to the street. This section has the greatest impact on older commercial areas where there are existing buildings that are built up to the edge of the sidewalk. In some cases, new buildings also will be required to be built up to the edge of the sidewalk.

A floor area bonus is available to encourage residential development in certain zoning districts. The floor area bonus makes it possible to build a larger building than would otherwise be allowed. The floor area bonus is available for mixed-use buildings where at least 25% of the space (not counting any structured parking) is designed for people to live in. The zoning districts where the bonus is available are MUN (mixed-use neighborhood), MUL (mixed-use limited), MUG (mixed-use general), MUI (mixed-use intensive), ORI (office/residential intensive), CF (core frame), and CC (core).

Parking, Loading, and Access - This part of the zoning code regulates how much parking needs to be provided and where it can be put. The parking requirements for 35 of the 141 land uses listed in the zoning code are lower for the UZO than in the rest of the county.

Reductions to the amount of required parking are available under certain conditions such as being located close to a bus route; being located in an area where nearby residents can walk to the business on sidewalks; being near a free public parking lot; having on-street parking in front of the home or business; and building within ten feet of the right-of-way using the contextual front setbacks option. On-street parking is permitted on one side of narrow streets (less than 26 feet wide curb-to-curb) within the UZO.

Landscaping -This part of the zoning code regulates landscaping for such purposes as "buffering" commercial areas from residential areas and also regulates how parking lots are landscaped. The differences in this section are: Parking lots with fewer than 30 spaces have more flexible landscaping requirements than larger parking lots. No landscape buffer yard is required when a zoning boundary falls within a public street within the UZO. The UZO contains three options for meeting the landscape buffer yard requirements are available. These provide more options that use landscaping in combination with a wall or solid fence.

Staff Recommendation - Approve. Under the UZO, the three commercial nodes located on Riverside Drive would be able to take advantage of more neighborhood friendly development standards if they were to be redeveloped.

PUBLIC WORKS RECOMMENDATION - N/A

STORMWATER RECOMMENDATION- N/A

FIRE MARSHAL - N/A

Approved, (7-0) *Consent Agenda*

Resolution No. RS2007-199

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-060U-05 is **APPROVED. (7-0)**

The proposed Urban Zoning Overlay district will allow the three commercial nodes within the proposed overlay to take advantage of a more neighborhood friendly development.”

3. **2007UD-001U-10**
Castleman Drive UDO
Map 131-01, Parcel Various
Subarea 10 (2005)
Council District 34 - Lynn Williams

A request to apply an Urban Design Overlay district to various properties on Castleman Drive between Trimble Road and Stammer Place, classified R20, (18.38 acres), to permit a maximum of 162 residential dwelling units, requested by Councilmember Lynn Williams, applicant, for various owners.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST- Preliminary UDO

A request to apply an Urban Design Overlay district to various properties on Castleman Drive between Trimble Road and Stammer Place, classified One and Two-Family Residential (R20), (18.38 acres), to permit a maximum of 162 residential dwelling units.

GREEN HILLS/MIDTOWN COMMUNITY PLAN

Special Policy #9 - Castleman Drive is located within the Green Hills- Midtown Community Plan. During the Community Plan update, in July of 2005, the community expressed a concern for how this area may redevelop in the future. In response Special Policy area #9 was created to ensure Castleman Drive redevelops as a walkable and sustainable street:

Special Policy # 9:

1. Development at RM intensities may be considered provided it is based on the aggregation of lots and a consolidated plan for the entire area. Developments should be oriented toward the Green Hills activity center and should emphasize improved vehicular and pedestrian connections with Hillsboro Pike and the activity center.

2. Any development within this area should create a sustainable and walkable neighborhood. Buildings shall form an appropriate street wall consistent with the width of the street. This is critical for scale and to provide a clear definition to the street. The streetscape elements (sidewalks, street trees, street furnishings, etc.) shall fully support the development form. The massing of buildings shall compliment each other in quality of construction and materials, scale, height, massing, and rhythm of buildings. Any development shall achieve sensitive transition to surrounding development.
3. Development at RM intensities should be implemented only through Planned Unit Development (PUD), or Urban Design Overlay (UDO) zoning together with the appropriate base zoning.

PLAN DETAILS

Site Plan - The Castleman Drive UDO comprises 18.38 acres and is divided into five sub-districts. Density within the UDO boundary is limited to 9 units an acre. Provisions have been made to distribute the density in a manner that is sensitive to existing conditions. Each sub-district is regulated by appropriate building type, building standards, open space, landscape and buffering standards, and maximum dwelling units. Generally, the UDO distributes density from one end of the block to the other, with the most intense development to the east. Density is also distributed north to south, with the most intense to the south. Landscape buffers have been included as part of the Building Regulating Plan and are intended to buffer new development from existing development on the south side of Hobbs Rd.

The Development Scenario is an illustrative guiding plan for implementation of the UDO over a period of time. Property owners who wish to develop pursuant to the UDO will be required to join pay fees as established by the Home Owners Associations. Fees generated by the HOA will be used to bond infrastructure improvements in accordance with the phasing plan within this document.

After the Planning Commission meeting on May 10, 2007, a blue line stream was identified by Stormwater. The plan has been revised to accommodate the stream plus a 30' buffer from the top of each bank.

PUBLIC WORKS RECOMMENDATION

1. Public Works design standards, including cross-sections, geometry, and off-site improvements, shall be met prior to approval of roadway or site construction plans. Final design and improvements may vary based on field conditions.
2. Submit solid waste collection and disposal plan.
3. Divided roadway sections to be compliant with ST-250 lane widths.
4. With properties under separate ownership, identify the responsible parties of the proposed Castleman Drive roadway improvements. Include in UDO document.
5. A traffic impact study for the entire UDO area shall be completed and approved with the submittal of the first development plans within the UDO boundary.
6. The roadway improvements shall be completed in no more than three construction phases that match the phase lines described on the UDO plan. This requirement shall be described within the UDO document.
7. Provide a graphic within the UDO document that shows the proposed development passerines.

STORMWATER RECOMMENDATION

1. Add 78-840 Note to Plans:
(Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.)
2. GIS indicates a possible stream near lot 20. Show Undisturbed Buffers or provide a hydrologic determination.

3. Add Buffer Note to plans if there is a drain buffer:
(The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations.)
4. Add Preliminary Note to Plans:
(This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.)
5. Add Access Note to Plans:
(Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
6. Add C/D Note to Plans:
(Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)
7. Provide a Water Quality Concept

CONDITIONS

1. The following changes shall be made to the Property Owners Association Standards:

Add language after second sentence: "Prior to final site plan approval, an applicant for redevelopment of property within the UDO shall provide acceptable proof that applicant has joined the property Owner's Association established in the CC&Rs. Membership in the property Owners' Association shall be granted by the existing association so long as all requirements for membership have been met."

Delete language in third sentence: "a copy of the recorded supplemental declaration submitting the property to the CC&Rs, and proof of payment of the special assessment for the infrastructure contemplated by the UDO,"

Remove Section "A" in its entirety.

1. The following changes shall be made to the Building Standards:
 - Add note: Development Standards contained in this UDO shall apply. Where specific standards are not called out in the UDO, the base zoning standards shall apply.
 - Add design standards for courtyard spaces in Cottage Courts, Townhome Courts, and Courtyard Flats to exclude parking and denton, and also establish minimum widths.
2. The applicant shall submit a phasing plan for implementation of infrastructure within the UDO. The plan must meet the requirements of all Metro Agencies
3. Prior to issuance of a building permit or final plat for construction in conformance with the provisions of this UDO, all infrastructure requirements for the phase shall be in place or properly bonded.
4. The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 – Regulations.
5. Any stream crossings will require a variance from the Stormwater Management Committee.
6. All Public Works and Stormwater conditions shall be addressed and a revised copy of the Preliminary UDO shall be submitted to the Planning Commission within 30 days of the Planning Commission action.
7. Prior to final site plan approval for development within Sub-Areas 1, 2, or 3, a minimum of .5 acres of contiguous land shall be dedicated as park/open space within Sub-Areas 1 or 2.

[Note: Items #3 and #4 were discussed by the Metropolitan Planning Commission together. See Item #4 for actions

and resolutions.]

- 4. 2007Z-072U-10**
Castleman Drive
Map 131-01, Parcels 066, 115, 116, 117, 118
Subarea 10 (2005)
Council District - 34 Lynn Williams

A request to change from R20 to RM20 zoning properties located at 2201, 2211, 2215 and 2217 Castleman Drive and to RM9 for property located at 2208 Castleman Drive, approximately 470 feet west of Hillsboro Pike (2.34 acres), requested by EDGE Planning, applicant, for Joseph Kerr, Sara Whaley, Vivian Hines, Salvatore Formosa, and Paul Riggan, owner.

STAFF RECOMMENDATION: Approval subject to approval of the Castleman Drive UDO (2007UD-001U-10).

APPLICANT REQUEST - A request to change from One and Two-Family Residential (R20) to Multi-Family Residential (RM20) zoning, properties located at 2201, 2211, 2215 and 2217 Castleman Drive and to Multi-Family Residential (RM9) for property located at 2208 Castleman Drive, approximately 470 feet west of Hillsboro Pike (2.34 acres).

Existing Zoning

R20 District - R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots.

Proposed Zoning

RM9 District - RM9 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre.

RM20 District - RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

GREEN HILLS/MIDTOWN COMMUNITY PLAN POLICY

Residential Low Medium (RLM) -RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Special Policy Area # 9:

1. Development at RM intensities may be considered provided it is based on the aggregation of lots and a consolidated plan for the entire area. Development should be oriented toward the Green Hills activity center and should emphasize improved vehicular and pedestrian connections with Hillsboro Pike and the activity center.
2. Any development within this area should create a sustainable and walkable neighborhood. Buildings shall form an appropriate street wall consistent with the width of the street. This is critical for scale and to provide a clear definition to the street. The streetscape elements (sidewalks, street trees, street furnishings, etc.) shall fully support the development form. The massing of buildings shall complement each other in quality of construction and materials, scale, height, massing, and rhythm of buildings solid to open void. Any redevelopment shall achieve sensitive transition to surrounding development.
3. Development at RM intensities should be implemented only through Planned Unit Development (PUD) or Urban Design Overlay (UDO) zoning together with the appropriate base zoning.

Consistent with Policy? - This zone change request is consistent with the Castleman Drive UDO (2007UD-001U-10), which is also on this Commission agenda. The proposed plan is appropriate if the UDO is approved.

Staff Recommendation-Staff recommends approval subject to approval of the Castleman Drive UDO.

RECENT REZONINGS - None.

PUBLIC WORKS RECOMMENDATION - TIS may be required at the time of development.

Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	2.34	1.85	4	39	3	5

Maximum Uses in Proposed Zoning District: RM20

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhouse(230)	2.34	N/A	46	332	28	32

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				293	25	27

METRO SCHOOL BOARD REPORT

Projected student generation 1 Elementary 1 Middle 1 High

Schools Over/Under Capacity - Students would attend Julia Green Elementary School, Moore Middle School, or Hillsboro High School. Julia Green Elementary School and Hillsboro High School have been identified as being over capacity by the Metro School Board. Another elementary school in the cluster and a high school in a neighboring cluster have capacity. This information is based upon data from the school board last updated April 2007.

Ms. Logan presented and stated staff is recommending approval of Zone Change 2007Z-072U-10.

Mr. Johnson presented and stated that staff is recommending approval with conditions of Urban Design Overlay 2007UD-001U-10.

Mr. Bernhardt added that staff is in support of removing the Conditions, Covenants and Restrictions (CCR's) from the UDO as mentioned by Councilwoman Williams. He stated that the CCR's are not a component of the actual UDO, but more of a proposed method for financing the infrastructure improvements as being recommended by the applicant.

Mr. Clifton requested clarification on the blue line stream included in the UDO and the measures that will be taken regarding its preservation.

Mr. Johnson stated that Metro staff has identified the blue line stream and has placed the requirement of a 30 foot buffer from each ridge of the stream on the proposal.

Mr. Clifton then requested clarification on the level of density included in the proposal and whether it would be overwhelming to the existing infrastructure for the area.

Mr. Bernhardt briefly explained the urban design overlay request for this area in relation to the Green Hills Community Plan. He spoke of issues such as the requests for higher density development in the Green Hills area; and the added policies that would assist in regulating density, as opposed to mass rezonings. He continued by stating that the overlay was in response to both property owner requests, as well as the market, thus resulting in this comprehensive plan for the redevelopment intensification for this particular area within the Green Hills area.

Mr. Clifton stated that it is important to continue planned growth throughout the City, however, he acknowledged

the concern of density for those who live in an area that is considered built out.

Ms. Cummings requested clarification regarding the CCR's included in the urban design overlay.

Mr. Bernhardt explained that the CCR's are being deleted from the UDO to eliminate the imposition of funding on the current property owners. He explained that before any development can begin within the phases of this UDO, a private agreement will need to be in place that will determine how the infrastructure will be funded for improvement.

Ms. Beehan stated that the UDO meets the needs of the community and allows additional growth. She was in favor of removing the conditions, covenants and restrictions as they could be considered an additional burden to the individual homeowners.

Mr. Loring requested clarification on whether all the property owners included in the overlay were required to participate.

Mr. Bernhardt stated that the only time property owners would be required to participate would be if they wanted to change their development to follow the urban design overlay requirements.

Ms. Jones spoke in favor of the overlay. She stated that it provides a well needed vision for the area.

Ms. Nielson moved and Ms. Jones seconded the motion, which passed unanimously, to approve with conditions Urban Design Zone Change 2007UD-001-10, with the condition to remove the Conditions, Covenants and Restrictions, (CCR's); and to approve Zone Change 2007Z-021U-10. **(7-0)**

Resolution No. RS2007-200

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007UD-001U-10 is **APPROVED WITH CONDITIONS, including a condition for a .5 acre park and a condition requiring the deletion of references to restrictive covenants in the UDO document. (7-0)**

Conditions of Approval:

1. The following changes shall be made to the Property Owners Association Standards:

Add language after second sentence: "Prior to final site plan approval, an applicant for redevelopment of property within the UDO shall provide acceptable proof that applicant has joined the property Owner's Association established in the CC&Rs. Membership in the property Owners' Association shall be granted by the existing association so long as all requirements for membership have been met."

Delete language in third sentence: "a copy of the recorded supplemental declaration submitting the property to the CC&Rs, and proof of payment of the special assessment for the infrastructure contemplated by the UDO,"

Remove Section "A" in its entirety.

2. The following changes shall be made to the Building Standards:

- Add note: Development Standards contained in this UDO shall apply. Where specific standards are not called out in the UDO, the base zoning standards shall apply.
- Add design standards for courtyard spaces in Cottage Courts, Townhome Courts, and Courtyard Flats to exclude parking and denton, and also establish minimum widths.

3. The applicant shall submit a phasing plan for implementation of infrastructure within the UDO. The plan must meet the requirements of all Metro Agencies

4. Prior to issuance of a building permit or final plat for construction in conformance with the provisions of this UDO, all infrastructure requirements for the phase shall be in place or properly bonded.

5. The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 –

Regulations.

6. Any stream crossings will require a variance from the Stormwater Management Committee.
7. All Public Works and Stormwater conditions shall be addressed and a revised copy of the Preliminary UDO shall be submitted to the Planning Commission within 30 days of the Planning Commission action.
8. Prior to final site plan approval for development within Sub-Areas 1, 2, or 3, a minimum of .5 acres of contiguous land shall be dedicated as park/open space within Sub-Areas 1 or 2.”
9. References to Conditions, Covenants, and Restrictions shall be deleted from the UDO document, and a revised copy resubmitted within 30 days of Commission action

The proposed Castleman Urban Design Overlay is consistent with the Green Hills/Midtown Community Plan’s special policy which calls for residential developments at a density of 4-9 dwelling units per acre provided that it is based on an aggregation of lots and plan for the entire area which is sustainable and walkable.”

Resolution No. RS2007-201

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-072U-10 is **APPROVED. (7-0)**

The proposed RM9 and RM20 districts and associated UDO plan are consistent with the Green Hills/Midtown Community Plan’s special policy which calls for residential developments at a density of 4-9 dwelling units per acre provided that it is based on an aggregation of lots and plan for the entire area, which is sustainable and walkable.”

REVISIONS AND FINAL DEVELOPMENT PLANS

5. **74-79-G-13**
Nashboro Village (PUD Cancellation)
Map 135-00, Parcel 418
Subarea 13 (2003)
Council District 29 - Vivian Wilhoite

A request to cancel a portion of a Planned Unit Development overlay district, that portion being located at the southwest corner of Nashboro Boulevard and Flintlock Court, zoned One and Two-Family Residential (R10) (3.46 acres), approved for approximately 27,600 square feet of commercial, requested by Councilmember Vivian Wilhoite.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - Cancel PUD

A request to cancel a portion of a Planned Unit Development overlay district, that portion being located at the southwest corner of Nashboro Boulevard and Flintlock Court, zoned One and Two-Family Residential (R10) (3.46 acres), approved for approximately 27,600 square feet of commercial.

PLAN DETAILS - There is no site plan associated with this request. The request is to cancel the Planned Unit Development district on this property (Map 135, Parcel 418), which will effectively remove all development rights that were granted with the approved PUD plan, and allow development as per the R10 base zoning district.

This request has been initiated by Council Lady Wilhoite District 29. Council Lady Wilhoite has initiated this request to address concerns from her constituents that feel that the current PUD plan is outdated and inappropriate for the area.

Preliminary Plan - The PUD was originally approved in 1979 and has undergone significant changes since its original conception. Since its conception, the implementation of the plan has been continuous and previous changes have been consistent with the original intent of the PUD. The last PUD plan for the property in question was approved for approximately 27,600 square feet of commercial uses. Also, the original preliminary that was approved in 1979 called for commercial uses at this location.

Zoning and Long Range Plan - The underlying zoning for this property is R10 which requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots. The long-range plan calls for this area to develop residentially with a density between 4 and 9 units per acre (Residential Medium Policy).

Analysis - While the underlying base zone and the community plan are not consistent with the existing PUD overlay on this property, the request to cancel this portion of the PUD must be based on its context within the overall PUD. The underlying zoning is inconsistent with the PUD overlay because at the time the PUD was adopted, the Zoning Code did not require the PUD overlay to be consistent with the base-zoning district. At that time, most commercial PUDs were adopted without also changing the base zoning.

The Land Use Policy adopted for this area reflects the residential density of the overall PUD, not the specific use or density on an individual parcel within the PUD overlay. The Nashboro Village PUD is a large development consisting of approximately 400 acres. The approved PUD plan for the entire project consists of some commercial and a variety of multi-family residential types, with an overall density of approximately 6.6 units per acre and also includes amenities such as tennis courts, a lake, and a 136-acre golf course.

The location of the portion of the PUD that is proposed to be cancelled is approved for approximately 27,600 square feet of commercial uses. The property is located along the south side of the main boulevard and is fairly close to the geographical center of the PUD district and was intended to provide a neighborhood commercial center.

While this PUD was originally approved many years ago, it has remained active and continues to be developed. The original concept represents a fully planned community, with a mixture of uses. The neighborhood center is property located and sized to provide local services. If redesigned, it should serve an important role in maintaining the sustainability of the neighborhood. To isolate this one piece of the development and ignore its relationship with the overall development is not appropriate.

Staff recommends disapproval of the request to cancel this portion of the PUD for several reasons. First, the approved commercial use for this property is close to the center of the development along the main thoroughfare and represents a neighborhood center that can provide additional neighborhood amenities to meet the daily convenience needs for residents in the area and/or provide a place to gather and socialize. The concept behind the location of this commercial area complies with accepted planning principals and the same concept is used by Metro Planning Staff to determine appropriate locations for community and neighborhood centers throughout Davidson County.

If cancelled, this planned community would contain a property at its center that could be developed under the current R10 zoning district. Since the property could possibly be subdivided under the R10 base zone, and would only have to be in compliance with the base zoning district and Subdivision Regulations, there would be limited means available to ensure that any future development is compatible with the existing PUD.

If cancelled, any new development proposal for this site would need to be considered in context with the surrounding area. Because the PUD includes multi-family development, a single-family residential subdivision on only 3.46 acres developed with the underlying R10 base zone would not be appropriate at this location. Since the property is located along the major thoroughfare in the development and at an intersection, an appropriate use would be small scale commercial, similar to that for which it is approved. Staff recommends that the current plan be redesigned so that the approved commercial uses are arranged to be more consistent in character with the existing context of the development.

Staff Recommendation - While the current plan for this property should be improved with an alternative design and layout, the currently approved use and scale are not out of character with the overall development and is consistent with sound planning practices for the location. Therefore, staff recommends disapproval of this PUD cancellation request.

PUBLIC WORKS RECOMMENDATION - No Exceptions Taken

STORMWATER RECOMMENDATION - No Exceptions Taken

Mr. Swaggart presented and stated that staff is recommending disapproval.

Mr. Tom White, 36 Old Club Court, spoke in opposition to the requested PUD cancellation.

Mr. Dan Strebel, 1720 West End, spoke in opposition to the requested PUD cancellation.

Mr. Dean McIntyre, 2501 Ravine Drive, spoke in favor of the requested PUD cancellation.

Ms. Valerie Wynn, 2516 Somerset Drive, spoke in favor of the requested PUD cancellation.

Councilwoman Wilhoite spoke in favor of the requested PUD cancellation. She stated that the commercial planned unit development was not consistent with the subarea plan for this area and requested its cancellation. She spoke on the issue of the planned unit development being over 30 years old and that it was no longer consistent with the neighborhood. She requested its cancellation in order to balance the interests of the developers as well as the neighborhood.

A resident of Nashboro Village spoke in favor of the zone change request.

Mr. John Brittle, 5474 Franklin Pike Circle, spoke in opposition to the zone change request.

Ms. Beehan acknowledged the conflict between the residents and the developer. She stated that the request to cancel should be made by the developer. She further stated that the wishes of the residents and homeowners should be acknowledged by the property owner.

Mr. Loring acknowledged the concern of older planned unit developments. However, he stated he would not want to act retroactively and remove the rights of a property owner.

Ms. Jones stated she was against canceling any type of rezoning unless the property owner was making the request. She mentioned other planned unit developments that contain commercial nodes that enhance communities.

Ms. Nielson spoke of the history of the Nashboro Village PUD. She mentioned that the concepts contained in the development are what the Commission encourages today.

Mr. Clifton spoke on the issue of changing land uses without the owners consent. He state he was not in favor of canceling the planned unit development.

Ms. Cummings stated that Nashboro Village represents good planning and what many neighborhoods should resemble. She stated that any design issues would be addressed when the plans were submitted for approval. She too stated she was not in favor of removing property rights without the owner's consent.

Mr. Clifton moved and Ms. Nielson seconded the motion, which passed unanimously, to disapprove the request to cancel a portion of Planned Unit Development 74-79-G-13, Nashboro Village. (7-0)

Resolution No. RS2007-202

“BE IT RESOLVED by The Metropolitan Planning Commission that 74-79-G-13 is **DISAPPROVED. (7-0)**

If canceled the R10 base zone would allow for development that is not consistent with the development pattern within the area or the overall Planned Unit Development.”

6. **23-85-P-13**
Forest View Park (PUD Cancellation)
Map 150-00, Parcel 237

Subarea 13 (2003)
Council District 29 - Vivian Wilhoite

A request to cancel the Planned Unit Development District Overlay on property located at Forest View Drive (unnumbered), approximately 400 feet east of Murfreesboro Pike, that was previously approved for 212 multi-family units (7.84 acres), zoned R10, requested by Councilmember Vivian Wilhoite.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST -Cancel PUD

A request to cancel the Planned Unit Development District Overlay on property located at Forest View Drive (unnumbered), approximately 400 feet east of Murfreesboro Pike, that was previously approved for 212 multi-family units (7.84 acres), zoned One and Two-Family Residential (R10).

Existing Zoning

R10 District -R10 requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

ANTIOCH/PRIEST LAKE COMMUNITY PLAN

Residential Medium High (RMH) -RMH policy is intended for existing and future residential areas characterized by densities of nine to twenty dwelling units per acre. A variety of multi-family housing types are appropriate. The most common types include attached townhomes and walk-up apartments.

PUD HISTORY - Forest View Park PUD was approved by the Planning Commission on March 13, 1985. As originally approved and with subsequent revisions, the PUD plan promotes a mixture of housing types with density decreasing with distance from Murfreesboro Pike. The original PUD is approximately 86 acres and is a combination of single-family and multi-family. All of the single-family and approximately half of the multi-family dwelling units have been built. The section requested to be cancelled, which is 7.84 acres, is the only unbuilt portion of this PUD.

The portion requested to be cancelled, along with the neighboring parcel to the south, is identified in the original plan as 516 flats, which was revised to 460 units in June of 1992. The parcel to the south was revised from 256 to 116 units and is not included in this request because it is already built. There are 212 units approved for construction in the section of the PUD that is requested to be cancelled.

North of the 460 flats is a section of 112 townhomes, which was amended to 20 townhouse units and 38 single-family lots in 1992. East of these sections is a section of the PUD with 207 single-family lots.

West of this request is the Murfreesboro Pike corridor, most of which is zoned Commercial Service in this area and is identified as Community Center policy.

Cancellation Request -The entire 86-acre PUD is approved for 245 single-family lots, 20 townhouses, and 328 multi-family units. Only the 212 multi-family units included in this cancellation request are not constructed.

Consistent with Policy? - The Antioch/Priest Lake Community Plan, which was adopted July 10, 2003, shows this property as being located within the Residential Medium High policy, which envisions a density of 9-20 units per acre. The multi-family portion of this PUD is consistent with the RMH policy. Higher density residential development is appropriate in this location due to the proximity to Murfreesboro Pike. The RMH policy serves as a transition between the Community Center and Residential Medium policy, which is applied to the single-family portions of the revised PUD.

Staff Recommendation - Forest View Park is a planned community. It has always contained both single-family and multi-family uses. The density of the development appropriately decreases with distance from the commercial corridor. Because this is the last portion of the PUD to develop, canceling this portion of the PUD would prevent this property from completing a fully planned community.

Staff recommends disapproval because the request is inconsistent with policy, eliminates density in an appropriate location, and would not promote a mixture of housing types as was always intended by the PUD plan.

Ms. Logan presented and stated that staff is recommending disapproval.

Mr. Tom White, 36 Old Club Court, spoke in opposition of the requested PUD cancellation.

Councilwoman Wilhoite spoke in favor of the requested PUD cancellation. She stated she met with the property owner to determine his intentions for this planned unit development. She stated that this PUD, and additional townhomes were not consistent with the existing neighborhood and requested its cancellation.

Mr. Clifton commented on the issue of the owners buying the land with vested rights. He stated he was not in favor of cancelling the PUD.

Ms. Nielson acknowledged that the owner would have to submit changes of his request to the Commission.

Ms. Jones also spoke of the specific processes that were in place if the owner were to change his plans.

Mr. Loring acknowledged the issue of older PUDs. However, he was not in favor of cancelling the planned unit development as being requested.

Ms. Nielson moved and Ms. Beehan seconded the motion, which passed unanimously, to disapprove the request to cancel a portion of Planned Unit Development 23-85-P-13, Forest View Park. **(7-0)**

Resolution No. RS2007-203

“BE IT RESOLVED by The Metropolitan Planning Commission that 23-85-P-13 is **DISAPPROVED. (7-0)**

If canceled the R10 base zone would allow for development that is not consistent with the development pattern within the area or the overall Planned Unit Development.”

7. **2005UD-003G-12**
Carothers Crossing, Final Site Plan (Temporary Sales Center)
Map 188-00, Parcel 008
Subarea 12 (2004)
Council District 31 - Parker Toler

A request to revise the final site plan of the approved Urban Design Overlay district at 7287 Carothers Road, to permit a revision to the approved site plan to allow for the 2,600 square foot temporary sales center, and equipment building and a 27 vehicle parking lot, requested by Wood Ridge Investments, LLC, applicant/owner.

STAFF RECOMMENDATION: Disapprove as submitted. Approval with conditions, including a condition adopting the site plan as revised by staff.

APPLICANT REQUEST - Final UDO

A request to revise the final site plan of the approved Urban Design Overlay district at 7287 Carother’s Road, to permit a revision to the approved site plan to allow for the 2,600 square foot temporary sales center and equipment building and a parking lot with 27 spaces.

PLAN DETAILS - The original UDO did not address a temporary sales center, however, there is an obvious need for one in a project that contains 2,100 units and 150,000 square feet of commercial uses on 519.8 acres. The applicant will submit a request and justification for continued use of the sales center every 2 years to the Planning Staff for evaluation.

The site is located on Carother’s Road, adjacent to Phase 2 (approved in May of 2006). The back of the proposed buildings will face common open space, so special care must be taken with all facades of the buildings since they will front public space.

The sales center is a temporary portable building that has been dressed with a pitched roof and covered porch on the front facade. It is fronted by a decorative paved public plaza and surrounded by landscaping. A general sketch of the landscaping is shown on the site plan and in the facades, but submittal and approval of a detailed landscape plan will be required prior to issuance of a building permit.

The equipment house is an existing house located on the site that will be renovated to be used as an electrical/mechanical equipment building. The building is brick and stucco. The windows on the front have operable shutters. Since this is an equipment building some of the existing window openings will need to be closed. On the sides of the building the old window openings have been covered with shutters. On the rear of the building the openings are proposed to be infilled with brick. Staff recommends that these openings be covered with shutters to be consistent with the rest of the structure.

Staff Recommendation-Staff recommends approval since the plan meets the UDO standards.

PUBLIC WORKS RECOMMENDATION-The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

STORMWATER RECOMMENDATION-Plan has not been approved by Metro Stormwater.

CONDITIONS

1. The rear windows on the equipment building proposed for brick infill shall be covered with shutters to match the window treatment on the rest of the structure.
2. The applicant will submit a request and justification for continued use of the sales center every 2 years to the Planning Staff for evaluation.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until five (5) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

Approved with conditions, (7-0) *Consent Agenda*

Resolution No. RS2007-204

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005UD-003G-12 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. The rear windows on the equipment building proposed for brick infill shall be covered with shutters to match the window treatment on the rest of the structure.
2. The applicant will submit a request and justification for continued use of the sales center every 2 years to the Planning Staff for evaluation.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to

the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.

5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
7. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until five (5) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds."

IX. PUBLIC HEARING: ZONING MAP AMENDMENTS

8. **2007SP-028U-13**
Ralph Mello
Map163-00, Parcels 064, 065
Subarea 13 (2003)
Council District 32 - Sam Coleman

A request to change from AR2a to SP zoning property located at 5160 and 5166 Hickory Hollow Parkway, approximately 1,630 feet west of Hickory Hollow Place (3.81 acres), requested by Ralph Mello, William B. Owen, Trustee, and Philip D. Warren, owners.

STAFF RECOMMENDATION: Disapprove as submitted. Approval with conditions, including a condition adopting the site plan as revised by staff.

APPLICANT REQUEST - Preliminary SP

A request to change from Agricultural/Residential (AR2a) to Specific Plan (SP) zoning property located at 5160 and 5166 Hickory Hollow Parkway, approximately 1,630 feet west of Hickory Hollow Place (3.81 acres).

Existing Zoning

AR2a District - Agricultural/Residential requires a minimum lot size of 2 acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district is intended to implement the natural conservation or interim nonurban land use policies of the general plan.

Proposed Zoning

SP District - Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base-zoning district, not an overlay. It will be labeled on zoning maps as "SP."
- The SP District is not subject to the traditional zoning districts' development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

ANTIOCH/PRIEST LAKE COMMUNITY PLAN

Regional Activity Center (RAC) -RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

Consistent with Policy? - Yes, if the staff revised site plan is approved. This request includes all uses within the Mixed Use Limited zoning district, except for nursing homes, day care facilities, bars, nightclubs, car washes, and convenience stores, which is consistent with the RAC policy. The RAC policy also requires a site plan, however. The submitted site plan does not provide sufficient design information to meet the requirements of the policy. The staff revised site plan provides the flexibility desired by the applicant while accommodating the design requirements required by the policy.

PLAN DETAILS

Submitted Site Plan - The plan shows one building envelope on each of the two lots. The building envelopes are 5,160 square feet and 5,166 square feet. They are setback approximately 90 feet from Hickory Hollow Parkway, with parking in front on the building. There are no other details regarding the size, height, or elevations of the buildings.

Sidewalks - Sidewalks are not shown on the plan.

Access - There are four access points from Hickory Hollow Parkway and no cross access between the two lots.

Parking -The plan shows parking located in front of the buildings. It does not include a number of spaces, but appears inadequate for the size of the depicted building envelope.

PLAN DETAILS

Staff Revised Site Plan -The plan shows one building envelope on the two lots. The building envelope has a setback of 30 feet from Hickory Hollow Parkway. The building would be required to be constructed along at least 50% of the front setback line. Building height, elevations, and other details are not included in the staff-proposed preliminary site plan in order to provide the applicant with maximum flexibility. Elevations will be required to be submitted with the final site plan

Sidewalks -Sidewalks are shown on the eastern property line to provide pedestrian access to the multifamily development to the north.

Access - There is one access point from Hickory Hollow Parkway. Cross access is provided between the two lots and to the undeveloped lot to the west. Additionally, pedestrian access is provided from the parking area to the multi-family development to the north

Parking -The parking envelope is located in the interior of the lots with a minimum front setback of 50 feet. If parking totals do not follow MUL standards, than the final SP site plan shall demonstrate sufficient parking, which must be approved by staff.

Reviewing Department Recommendations - Other departments did not have enough technical information to review the SP as submitted. All department approvals must be obtained with the final SP site plan.

Staff Recommendation -Staff recommends disapproval as submitted, but approval with conditions of the staff revised site plan. Because the council bill for this request has already been prepared, staff also recommends a condition that failure to amend the bill to include the staff revised site plan would amount to a disapproved bill.

PUBLIC WORKS RECOMMENDATION -A specific plan has not been received to make any engineering decision or recommendation.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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			Lots			
Single-family detached(210)	3.81	1 du/2acres	1	10	1	2

Typical Uses in Proposed Zoning District: SP (Calculations based on MUL zoning)

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center(814)	3.81	.237	39,333	1,721	39	116

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				1,711	38	114

Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	3.81	1 du/2acres	1	10	1	2

Maximum Uses in Proposed Zoning District: SP (Calculations based on MUL zoning)

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Retail Center (820)	3.81	.6	99,578	6,773	157	625

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				6,763	156	623

STORMWATER RECOMMENDATION - Preliminary SP Returned for Corrections:

- Show the Proposed Site Layout (Scale no less than 1" = 100', Contours no greater than 5').
- Add FEMA Note / Information to plans.
- Add North Arrow & Bearing Information to plans.
- Add Vicinity Map to plans.
- Add 78-840 Note to plans. (Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.)
- Add Preliminary Note to plans. (This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.)
- Add Access Note to plans. (Metro Water Services shall be provided sufficient and unencumbered access in

order to maintain and repair utilities in this site.)

- Add C/D Note to plans. (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)
- Show Existing Topo.
- Provide a Water Quality Concept plan.
- Show / allocation Room for Detention.

FIRE MARSHAL RECOMMENDATION -Need more information on what is to be done. New residences, business, fire hydrant location, etc.

WATER SERVICES RECOMMENDATION - Capacity in the amount of \$2,000.00 has been purchased for this site leaving a balance of \$2,000.00. Furthermore, a public sewer line extension will be required to serve this site. Water Services will need calculations, construction plans and also calculation fees for review and approval.

CONDITIONS

1. Adopt staff revised site plan.
2. Failure to amend the bill to include the staff revised site plan would amount to a disapproved bill.
3. Building elevations are required with the final SP site plan.
4. Sidewalks are required on Hickory Hollow Parkway.
5. Buildings shall be a minimum of two stories or 24' and a maximum of three stories.
6. If parking totals do not follow MUL standards, than the final SP site plan shall demonstrate sufficient parking, which must be approved by staff.
7. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
8. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning districts at the effective date of this ordinance, which must be shown on the plan.
9. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
10. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
11. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
12. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted,

except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

13. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

METRO SCHOOL BOARD REPORT

Projected student generation - The projected number of students is not able to be determined at this time. The number of students will be projected with the final SP site plan.

Schools Over/Under Capacity - Students would attend J. E. Moss Elementary School, Apollo Middle School, or Antioch High School. J. E. Moss Elementary School and Antioch High School have been identified as being over capacity by the Metro School Board. There is neither another middle school in the cluster nor another high school in a neighboring cluster that has capacity. This information is based upon data from the school board last updated April 2007.

Ms. Logan presented and stated that staff is recommending disapproval of the plan as submitted, however is recommending approval with conditions, including a condition adopting the site plan as revised by staff.

Mr. Ralph Mello, owner, spoke in favor of the plan as submitted by staff and requested that condition #5, referencing building height, be removed.

Ms. Nielson suggested the proposal be deferred in order to allow additional time for the developer to meet with staff to work on the design issues of the development.

Mr. Ponder requested clarification on the height restrictions included in the proposal.

Ms. Logan explained the concept of the building height restriction placed on the development.

Mr. Bernhardt offered that the building height was included in order to provide the appropriate scaled building for this area. He stated there was flexibility regarding this condition.

Ms. Jones offered alternative suggestions regarding the condition referencing building heights. She stated there are buildings that contain a 20 foot roof deck in the front that slopes back to only approximately to 14 or 15 foot. She stated that the condition should not restrict the owner to a two story building as the condition indicates in the report.

Ms. Nielson offered that the condition should be amended in order to accommodate the Commission's intentions.

There was a brief discussion amongst the Commission as they determined the correct wording for the condition.

Mr. Loring stated that he had an issue with recommending a two story building for the developer if in fact, a one story would be appropriate. He spoke of additional economic impacts associated with two story buildings.

Ms. Beehan stated she was in favor of the suggested changes made by the Commissioners. She questioned whether the proposal should be deferred to allow additional work on the request.

Mr. Bernhardt offered the suggested wording as proposed by the Commissioners for condition #5. He stated that it would read that the front façade shall be a minimum of 20 feet to the top of the parapet, up to a maximum of three stories.

Mr. Clifton requested additional clarification on the requested zone change and the policy for this area.

Ms. Logan stated that the Regional Activity Center policy requires a design plan.

Mr. Clifton acknowledged the intentions of staff requiring a two story building for the Hickory Hollow area. He agreed with the amendments to be made to condition #5.

Ms. Cummings requested additional clarification regarding the change to condition #5.

Ms. Jones offered additional information regarding the generalities of two story buildings.

Ms. Jones moved, and Ms. Beehan seconded the motion, which passed unanimously, to approve with conditions Zone Change 2007SP-028U-13, to include the condition adopting the site plan as revised by staff, as well as revising Condition #5 to read that the front façade shall be a minimum of 20 ft., to the roof edge with a maximum building of three stories. (7-0)

Resolution No. RS2007-205

BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-028U-13 is **DISAPPROVED AS SUBMITTED; APPROVED WITH CONDITIONS, including a condition adopting the site plan as revised by staff and amending condition No. 5 to require that the front façade shall be a minimum of 20’ at the roof edge to a maximum building height of three stories. (7-0)**

Conditions of Approval:

1. Adopt staff revised site plan.
2. Failure to amend the bill to include the staff revised site plan would amount to a disapproved bill.
3. Building elevations are required with the final SP site plan.
4. Sidewalks are required on Hickory Hollow Parkway.
5. Buildings shall be a minimum of two stories or 24’ and a maximum of three stories.
6. If parking totals do not follow MUL standards, than the final SP site plan shall demonstrate sufficient parking, which must be approved by staff.
7. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
8. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning districts at the effective date of this ordinance, which must be shown on the plan.
9. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
10. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
11. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
12. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon

final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

13. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

The revised staff plan is consistent with the Antioch/Priest Lake Community Plan's Regional Activity Center policy which is intended for all types of retail activities, offices, public uses and higher density residential uses."

9. **2007SP-081G-06**
Mt. Laurel Reserve
Map 128-00, Parcel 038
Subarea 6 (2003)
Council District 22 - Eric Crafton

A request to change from R20 to SP zoning property located at Hicks Road (unnumbered), approximately 1,160 feet east of Sawyer Brown Road (36.25 acres), to permit the development of 106 attached units, requested by Dale & Associates, applicant, for Dudley and Arthur G. Ford et al, owners.

STAFF RECOMMENDATION: Approve with conditions, including a condition requiring Fire Marshal approval before 3rd reading at Metro Council.

The Metropolitan Planning Commission DEFERRED Zone Change 2007SP-081G-06 indefinitely at the request of the applicant. (7-0)

10. **2007SP-099U-08**
1702 Charlotte Avenue
Map 092-08, Parcel 158 and Part of Parcels 153, 154, 155, & 156
Subarea 8 (2002)
Council District 19 - Ludye N. Wallace

A request to change from CS to SP zoning a property located at 1702 Charlotte Avenue and from R6 to SP a portion of properties located at 11701, 1702, 1703, and 1705 Pearl Street and Pearl Street (unnumbered), at the northeast corner of Charlotte Street and Fisk Street (2.04 acres), to permit a hotel/motel use with a maximum of 10 beds in one structure, a 1,500 square foot outpatient clinic, and a 49,000 square foot office use for a total of 54,500 square feet, requested by Civil Site Design Group PLLC, applicant, for Ron Calahan and Fred Dance, owners.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - A request to change from Commercial Service (CS) to Specific Plan (SP) zoning a property located at 1702 Charlotte Avenue and from One and Two-Family Residential (R6) to Specific Plan (SP) a portion of properties located at 1701, 1702, 1703, and 1705 Pearl Street and Pearl Street (unnumbered), at the northeast corner of Charlotte Avenue and Fisk Street (2.04 acres), to permit a hotel/motel use with a maximum of 10 beds in one structure, a 1,500 square foot outpatient clinic, and a 49,000 square foot office use for a total of 54,500 square feet.

Existing Zoning

CS District -Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

R6 District -R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots.

Proposed Zoning

SP District -Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

NORTH NASHVILLE COMMUNITY PLAN POLICY

Neighborhood Urban (NU) -NU is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities and mixed-use development. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Corridor Center (CC) -CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Mixed Use (MxU) -MxU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

Consistent with Policy? - Yes. The proposed specific plan provides for a mix of uses identified in the land use policies, specifically public benefit uses, office, and potentially retail, which will be vertically mixed. The scale and orientation of the existing building to the street enhances the pedestrian environment.

Staff Recommendation - Since the proposed specific plan complies with the land use policy, staff recommends approval with conditions.

PLAN DETAILS

Site Plan - The proposed plan is to redevelop an existing, vacant, two-story building in order to create a mixed-use development. The primary tenant will be the Oasis Center. This non-profit organization provides teen counseling services, including ten beds for teens in need. Other uses permitted include office, retail, and an out-patient clinic. The remainder of the property will be used for supportive parking. A ten-foot landscape buffer with a six-foot wall is proposed along the northern property line to buffer the residential lots to the north.

Parking - The plan proposes 125 parking spaces. Parking will be located in the existing lot associated with the building and additional parking will be located to the rear of the building.

Access - Parking will be accessed via Charlotte Avenue and an alley that lies between the building and the supportive parking lot. Sidewalks are required on Fisk Street, Charlotte Avenue and 17th Avenue North. There are encroachments into the public right-of-way and encroachment agreements will need to be obtained.

RECENT REZONINGS -None

FIRE MARSHAL RECOMMENDATION -Approved

URBAN FORESTER RECOMMENDATION -Landscaping will require irrigation.

STORMWATER RECOMMENDATION - Preliminary SP approved.

WATER SERVICES RECOMMENDATION -SP plan matches the water and sewer capacity request.

PUBLIC WORKS RECOMMENDATION - The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

Obtain encroachment agreement for encroachments into the public right of way.

Identify sidewalk requirements.

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	.94	6.18	6	58	5	7

Maximum Uses in Proposed Zoning District: SP (Calculations based on MUL zoning)

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Medical Office(720)	2.04	n/a	1,500	55	4	6

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	2.04	n/a	49,000	771	107	134

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Hotel(310)*	2.04	n/a	49,000	90	7	7

*10 beds

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				858	113	140

CONDITIONS

1. Obtain encroachment agreements for the encroachments into the public right-of-way.
2. Sidewalks are required on Fisk Street, Charlotte Avenue, and 17th Avenue North.
3. Provide screening for the dumpster along Fisk Street and the alley. Screening must include landscaping.

4. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance in the review of the final site plan, final plat, and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL zoning district at the effective date of this ordinance, which must be shown on the plan.
6. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
8. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
10. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Approved with conditions, (7-0) *Consent Agenda*

Resolution No. RS2007-206

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-099U-08 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Obtain encroachment agreements for the encroachments into the public right-of-way.
2. Sidewalks are required on Fisk Street, Charlotte Avenue, and 17th Avenue North.
3. Provide screening for the dumpster along Fisk Street and the alley. Screening must include landscaping.
4. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance in the review of the final site plan, final plat, and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.

5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL zoning district at the effective date of this ordinance, which must be shown on the plan.
6. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
8. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
10. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

The proposed SP district is consistent with the North Nashville Community Plan's Neighborhood Urban, Corridor Center and Mixed Use policies which are intended for a mixture of uses including public benefit uses, which are mixed and urban in character.

- 11. 2007Z-105U-14**
 Map 084-16, Parcel 020
 Subarea 14 (2004)
 Council District 15 - J. B. Loring

A request to change from RS10 to CL zoning property located at 138 McGavock Pike between Stinson Road and Park Drive, approximately 1,030 feet north of Lebanon Pike (1.07 acres), requested by David E. Porter, Sr., owner.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - A request to change from Single-Family Residential (RS10) to Commercial Limited (CL) zoning property located at 138 McGavock Pike between Stinson Road and Park Drive, approximately 1,030 feet north of Lebanon Pike (1.07 acres).

Existing Zoning

RS10 District -RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

Proposed Zoning

CL District -Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

DONELSON HERMITAGE COMMUNITY PLAN

Residential Low Medium (RLM)- RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent with Policy? - No. The uses allowed in the Commercial Limited district would be incompatible with the Residential Low Medium policy. Areas designated RLM are suitable for residential development, civic activities, and low-rise public benefit uses. The CL district is intended for more intense development and is appropriate in policy areas that support commercial, office and/or mixed uses.

Staff Recommendation - Staff recommends disapproval because the request is inconsistent with RLM policy. The intensity of development at this location would conflict with the surrounding residential uses. Commercial uses in this area are concentrated toward the intersection of McGavock Pike and Lebanon Pike. Any expansion of commercial uses into the residential neighborhood at McGavock Pike near Park Drive and Stinson Road is discouraged. The Donelson-Hermitage Community Plan reflects the area residents' goal of maintaining the integrity of older neighborhoods by preventing commercial encroachment into adjacent older suburban residential areas by confining non-residential development to existing commercial segments of major corridors.

PUBLIC WORKS RECOMMENDATION -No Exception Taken

Typical Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	1.07	3.71	3	29	3	4

Typical Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	1.07	.172	8,016	192	25	25

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				163	22	21

Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	1.07	3.71	3	29	3	4

Maximum Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	1.07	.6	27,704	497	68	110

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				468	65	106

HISTORIC PROPERTIES -This property at 138 McGavock Pike (parcel 20) falls within the Fairway-McGavock Historic Area and is designated as Worthy of Conservation. Planning has notified the Historical Commission of this application and will provide any comments that are received.

Ms. Nedra Jones presented and stated that staff is recommending disapproval.

Ms. Ellen Davis, 107 McGavock Pike, spoke in opposition to the requested zone change.

Mr. Danny McCathrin, 2407 Selma Avenue, spoke in opposition to the requested zone change.

Mr. Dave Porter, 138 McGavock Pike, spoke in favor to the requested zone change. He submitted information to the Commission for the record.

Mr. Loring stated he was in favor of approving this request. He stated that the majority of the residents affected by this proposed zone change were in favor of its approval.

Ms. Beehan questioned whether the historical commission sent any comments to the staff regarding this zone change request.

Ms. Nedra Jones stated she did not receive any comments.

Ms. Cummings requested clarification on the historical value of this property.

Ms. Jones stated that the property is located in the Fairway McGavock Historic area and has been classified as worthy of conservation.

Mr. Bernhardt clarified that the property is not designated as historic.

Mr. Clifton was opposed to approving the zone change request due to the nature of the requests being proposed lot by lot.

Ms. Nielson moved and Ms. Cummings seconded the motion, to disapprove Zone Change 2007Z-105U-14. **(6-1)**
No vote – Loring

Resolution No. RS2007-207

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-105U-14 is **DISAPPROVED. (6-1)**

The proposed CL district is not consistent with the Donelson/Hermitage Community Plan’s Residential Low Medium policy, which is intended for residential development within a density of 2-4 units per acre.”

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- 12. 2007Z-106U-07**
Map 091-02, Parcels 068, 069, 070
Subarea 7 (2000)
Council District 20 - Billy Walls

A request to change from CS to IR zoning properties located at 6101, 6103 and 6105 Centennial Boulevard, at the southwest corner of Centennial Boulevard and 61st Avenue North (0.72 acres), requested by Mike and Dana Ragan, owners.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - A request to change from Commercial Service (CS) to Industrial Restrictive (IR) zoning properties located at 6101, 6103 and 6105 Centennial Boulevard, at the southwest corner of Centennial Boulevard and 61st Avenue North (0.72 acres).

Existing Zoning

CS District -Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

Proposed Zoning

IR District -Industrial Restrictive is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

WEST NASHVILLE COMMUNITY PLAN

Commercial Arterial Existing (CAE) -CAE policy is intended to recognize existing areas of “strip commercial” which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The intent of this policy is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop into more pedestrian-friendly areas.

Consistent with Policy? - No. The West Nashville Community Plan applies the CAE policy to the area along 51st Avenue North and Centennial Boulevard. Although present uses in this area are not characteristic of CAE policy, CAE policy has been applied to guide future development. About 60 percent of the area is in commercial or nonconforming industrial use. CAE areas typically are dominated by retail and restaurant uses. They are intended to recognize existing commercial uses, but not encourage expansion of intensification of commercial or industrial uses.

Staff Recommendation -Staff recommends disapproval because the request is inconsistent with CAE policy. The current CS zoning district permits uses that align with the intent of CAE policy. Contractors, appliance repair shops, upholsterers, laboratories, and print shops are typical uses in the area and are allowed within the CS district. The IR district would permit uses that are inappropriate in CAE policy and result in the expansion of non-conforming industrial uses, which is discouraged in this area. Staff is planning an update of the West Nashville Community Plan in late 2008. It is recommended that the applicant participate in that process to assess the appropriate use for this location.

PUBLIC WORKS RECOMMENDATION - No Exception Taken

Typical Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.72	.25	7,840	374	14	41

Typical Uses in Proposed Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	0.72	.172	5,394	27	11	7

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-347	-3	-34

Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.72	0.6	18,817	843	23	67

Maximum Uses in Proposed Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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Warehousing (150)	0.72	0.8	25,090	125	32	22
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Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-718	9	-45

Ms. Nedra Jones announced that staff had not received any requests to speak regarding this proposal.

Mr. Ponder polled the audience to see if there was anyone present to speak regarding this zone change request.

There was no one present.

Ms. Nielson moved and Ms. Cummings seconded the motion, which passed unanimously, to disapprove Zone Change 2007Z-106U-07. (7-0)

Resolution No. RS2007-208

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-106U-07 is **DISAPPROVED**. (7-0)

The proposed IR district is not consistent with the West Nashville Community Plan’s Commercial Arterial Existing policy, which is intended to recognize existing areas of “strip commercial”, stabilize current conditions, prevent additional expansion and ultimately redevelop into more pedestrian-friendly areas.”

- 13. 2007Z-107G-01**
 Map 023, Part of Parcels 032 and 034
 Subarea 1 (2003)
 Council District 3 - Walter Hunt

A request to rezone from AR2a to CS a portion of property from 807, 809 Claylick Court, south of I-24 (.46 acres), requested by Darrell and Tammy Metcalfe, Wiley Higgins, Brenda Higgs, and Claude Wair.

STAFF RECOMMENDATION: Disapprove.

The Metropolitan Planning Commission DEFERRED Zone Change 2007Z-107G-06 indefinitely at the request of the applicant. (7-0)

- 14. 2007Z-108G-06**
 Map 155-00, Parcel 233
 Subarea 6 (2003)
 Council District 35 - Charlie Tygard

A request to change from RS40 to RS10 zoning property located at 8276 Collins Road, approximately 1,370 feet west of Highway 100 (3.04 acres), requested by J. Terrence O'Rourke, owner.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - A request to change approximately 3.04 acres located at 8276 Collins Road, from Single-Family Residential (RS40) to Single-Family Residential (RS10).

Existing Zoning

RS40 District - RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre.

Proposed Zoning

RS10 District - RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

BELLEVUE COMMUNITY PLAN POLICY

Residential Low Medium (RLM) -RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent With Policy? -Yes. The proposed RS10 district is consistent with the area’s policy and the surrounding development pattern.

Staff Recommendation - Since the requested RS10 district is consistent with the area’s RLM policy, staff recommends that the request be approved.

RECENT REZONINGS - None

PUBLIC WORKS RECOMMENDATION -A Traffic Impact Study (TIS) may be required at development.

Typical Uses in Existing Zoning District: RS40

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	3.04	.93	3	29	3	4

Typical Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	3.04	3.71	11	106	9	12

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				77	6	8

METRO SCHOOL BOARD REPORT

Projected student generation 1Elementary 1Middle 1High

Schools Over/Under Capacity - Students would attend Harpeth Valley Elementary School, Bellevue Middle School, and Hillwood High School. According to the Metro School board Harpeth Valley Elementary is over capacity, but there is additional capacity within the adjacent cluster.

Approved, (7-0) *Consent Agenda*

Resolution No. RS2007-209

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-108U-06 is **APPROVED. (7-0)**

The proposed RS10 district is consistent with the Bellevue Community Plan’s Residential Low Medium policy which is intended for residential development with a density of 2-4 units per acre.”

X. CONCEPT PLANS

15. 2007S-145U-07

Patina II, 1st Rev.
Map 103-02, Parcel 070, 071, 072
Subarea 7 (2000)
Council District 24 - John Summers

A request for a revision to the previous concept plan approval to create 17 lots on properties located at 216, 218, and 222 Orlando Avenue, approximately 425 feet north of Burgess Avenue, zoned R6 (3.83 acres), requested by Shamrock Holdings, Inc., owner, Joseph G. Petrosky Associates, LLC, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Concept Plan

A request to revise a condition of approval for the concept plan approved for 17 lots (including 4 duplex lots) on property located at 216, 218, and 222 Orlando Avenue, approximately 540 feet south of Lenox Avenue (3.83 acres), zoned One and Two-Family Residential (R6).

ZONING

R6 District -R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots.

PLAN DETAILS -The revision to the approved concept plan includes a proposed change to a condition approved by the Planning Commission on January 11, 2007. The original condition reads as follows:

Original Condition of Approval: “An addendum to the current restrictive covenants for the Patina PUD will need to be recorded prior to the issuance of grading permit and/or final plat approval that combines the two homeowners associations and documents that the road connection between the two sections of private drive can be constructed and will not be blocked off sometime in the future.”

The applicant is now proposing this new condition to replace the original condition:

Proposed Note/Condition on plat: “The developer, Shamrock Holdings, Inc. after certification and acceptance of the final street paving shall deed the property in fee simple that is denoted hereon as the (private access easement and public utility and drainage easement) to the Patina II Homeowner’s Association. This deed shall contain a provision running with the land that prohibits the installation of any device that would serve to block the continuation of vehicular access to the Patina I subdivision. Shamrock Holdings, Inc. as the owner of the property underlying the 46’ wide public utility and access easement in the Patina I subdivision (map and parcel 1140B 01500CO) shall incorporate an identical provision in their deed conveying that property to the Patina I Home Owner’s Association.”

Staff Recommendation -Staff recommends approval of the proposed change since the private street will still be maintained by each individual HOA, and both portions of the private drive will remain open to the public and unobstructed in perpetuity. The applicant is proposing an irrevocable deed restriction that runs with the land and deeding of the property to both Patina I and II Homeowner’s Associations. Staff recommends a condition that prior to releasing the bond for Patina II, the irrevocable deed must be in place for both Patina I and Patina II.

Although Public Works is still recommending that the two homeowner’s associations be combined, staff recommends that the situation can be addressed adequately as proposed by the applicant. The existing homeowners’ association is not controlled by the developer, so the developer is not in a position to effect the combination that Public Works is recommending.

History- The concept plan approved by the Planning Commission in January 2007, proposed 17 lots (including four duplex lots) located off an extension of an existing private drive named Patina Circle. Patina Circle begins in the Patina PUD. The Patina PUD was approved in 2003, and contains 15 single-family lots. Patina Circle connects to Orlando Avenue. The property is located along the Richland Creek Greenway and a greenway easement dedication has been shown on the plan.

Variance for Private Drive - Since this application is not located in a Planned Unit Development; a private drive is not permitted by-right. A variance was approved by the Planning Commission for a private drive in January 2007. The applicant's basis for hardship was an undesirable lot configuration that would result if the public street standards were required because it would not match the existing private street section that is stubbed out at the adjoining property line. The applicant stated that mismatched right-of-way and the additional land disturbance to meet the public right of way standard would affect both the quality and desirability of the neighborhood for the existing lots as well as the proposed lots.

PUBLIC WORKS RECOMMENDATION -The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

- Change proposed road name.
- Construct turnaround per ST-331 at terminus of proposed roadway.
- Provide documentation that both associations will be combined prior to construction plan approval.

STORMWATER RECOMMENDATION -Approve

CONDITIONS

1. The developer, Shamrock Holdings, Inc. after certification and acceptance of the final street paving shall deed the property in fee simple that is denoted hereon as the (private access easement and public utility and drainage easement) to the Patina II Homeowner's Association. This deed shall contain a provision running with the land that prohibits the installation of any device that would serve to block the continuation of vehicular access to the Patina I subdivision. Shamrock Holdings, Inc. as the owner of the property underlying the 46' wide public utility and access easement in the Patina I subdivision (map and parcel 1140B 01500CO) shall incorporate an identical provision in their deed conveying that property to the Patina I Home Owner's Association.
2. A bond shall be posted for construction of the private access road within Patina II. The bond shall not be released until the deed restriction for Patina I and Patina II have been amended and recorded, as outlined in condition No. 1.
3. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Street lighting is required in the Urban Services district.
4. With reference to the newly adopted Volume 4 of the Stormwater Regulations, the depicted water quality concept is acceptable only if the ponds are wet ponds. Dry ponds must be accompanied by a Metro approved water quality device.
5. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.
6. Within 120 days of Planning Commission approval of this concept plan, and in any event prior to any additional development applications for this property, including submission of a final plat, the applicant shall provide the Planning Department with a final corrected copy of the concept plan for filing and recording with the Davidson County Register of Deeds.

Approved with conditions, (7-0) *Consent Agenda*

Resolution No. RS2007-210

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-147U-07 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. The developer, Shamrock Holdings, Inc. after certification and acceptance of the final street paving shall deed the property in fee simple that is denoted hereon as the (private access easement and public utility and drainage easement) to the Patina II Homeowner's Association. This deed shall contain a provision running with the land that prohibits the installation of any device that would serve to block the continuation of vehicular access to the Patina I subdivision. Shamrock Holdings, Inc. as the owner of the property underlying the 46' wide public utility and access easement in the Patina I subdivision (map and parcel 1140B 01500CO) shall incorporate an identical provision in their deed conveying that property to the Patina I Home Owner's Association.
2. A bond shall be posted for construction of the private access road within Patina II. The bond shall not be released until the deed restriction for Patina I and Patina II have been amended and recorded, as outlined in condition No. 1.
3. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Street lighting is required in the Urban Services district.
4. With reference to the newly adopted Volume 4 of the Stormwater Regulations, the depicted water quality concept is acceptable only if the ponds are wet ponds. Dry ponds must be accompanied by a Metro approved water quality device.
5. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.
6. Within 120 days of Planning Commission approval of this concept plan, and in any event prior to any additional development applications for this property, including submission of a final plat, the applicant shall provide the Planning Department with a final corrected copy of the concept plan for filing and recording with the Davidson County Register of Deeds."

XI. FINAL PLATS

- 16. 2007S-133U-10**
 Noelton Plan, Resub. Lots 1 & 2
 Map 118-09, Parcel 005
 Subarea 10 (2005)
 Council District 25 - Jim Shulman

A request for final plat approval to create 2 lots on property located at 3297 Lealand Lane, at the southwest corner of Lealand Lane and Battlefield Drive (0.84 acres), zoned R10, requested by Keystone LLC, owner, Smith Land Surveying, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - A request for final plat approval to create 2 lots on property located at 3297 Lealand Lane, at the southwest corner of Lealand Lane and Battlefield Drive (0.84 acres), zoned One and Two-Family Residential (R10).

ZONING

R10 District - R10 requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

PLAN DETAILS - This subdivision proposes to create two single-family lots.

Lot Comparability - Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

Lot comparability analysis was performed and yielded the following information:

Lot Comparability				
	Area		Frontage	
	Required	Proposed	Required	Proposed
Lot 1	17,035.07	17,114	90	89
Lot 2	22,084.92	21,395	90	116.13

The proposed lots still do not meet the minimum requirements under the lot comparability analysis.

Lot Comparability Exception - A lot comparability exception can be granted if the lot does not meet the minimum requirements of the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the General Plan. The Planning Commission has discretion whether or not to grant a lot comparability exception.

The proposed lots could meet **one** of the qualifying criteria of the exception to lot comparability:

- The proposed lots are consistent with the adopted land use policy that applies to the property. The lots are located in the Residential Low-Medium Density land use policy. RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Staff Recommendation -The Planning Commission originally disapproved this subdivision request for 2 lots on December 14, 2006. At that time, staff recommended disapproval because Lot 1 failed comparability for area and frontage and it was determined that the subdivision would severely affect the overall character of Lealand Lane and Battlefield Drive by allowing development at an inappropriate setback. In December 2006, a lot comparability analysis was included in the staff report that indicated that Lot 1 did not meet comparability for area or frontage. As discussed at the December Planning Commission meeting, however, there are different ways the lot comparability analysis can be performed for this site because it is a corner lot. Additionally, staff determined that the topography of the site was ill-suited for development and the resulting unit(s) would be too large for the intersection of Lealand Lane and Battlefield Drive.

On February 20, 2007, the owner pulled a permit “to construct a new two story 2,800 sq. ft. living space addition... [with a] connection to exiting residence...and convert all to a duplex with intent to condo.” This “addition” is already constructed and appears very large for this intersection. This area is currently the subject of a downzoning request and the neighborhood has been very vocal about restricting duplexes. Because the developer has already pulled permits for a duplex, and because staff is aware that the neighborhood does not support duplexes, staff recommends approval of the subdivision, including an exception to lot comparability, with a condition that both lots be limited to single-family homes only.

PUBLIC WORKS RECOMMENDATION -No Exceptions Taken

STORMWATER RECOMMENDATION - Approved

CONDITIONS

1. Revise purpose note to state, “The purpose of this plat is to create two single-family lots.”
2. Change date of revision to May 17, 2007.

Mr. Bernhardt announced that Item #16 was originally scheduled for the Consent Agenda for approval with conditions. However, no one was present to speak against the proposal.

Ms. Nielson moved and Mr. Loring seconded the motion, which passed unanimously, to place Item #16, Final Plat 2007S-133U-10 on the Consent Agenda and approve with conditions. **(7-0)**

Resolution No. RS2007-211

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-133U-10 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Revise purpose note to state, "The purpose of this plat is to create two single-family lots."
2. Change date of revision to May 17, 2007."

- 17. 2007S-134U-05**
 Pitts Subdivision
 Map 061-00, Parcel 021
 Subarea 5 (2006)
 Council District 8 - Jason Hart

A request for final plat approval to create 2 lots on property located at 503 Ben Allen Road, approximately 335 feet east of Ellington Parkway (2.1 acres), zoned RS10, requested by Coordination Plus LLC, owner, Donlon Land Surveying LLC, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - A request for final plat approval to create 2 lots on property located at 503 Ben Allen Road, approximately 335 feet south of Ellington Parkway (2.1 acres), zoned Single-Family Residential (RS10).

ZONING

RS10 District -RS10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

PLAN DETAILS -This request proposes to subdivide the existing lot into two lots.

Lot Comparability - Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street:	Requirements:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
Ben Allen Road	18,826	39.0

As proposed, the two new lots have the following areas and street frontages:

- Lot 1: 84,524 Sq. Ft. with 162 ft. of frontage
- Lot 2: 10,000 Sq. Ft. with 50 ft. of frontage

Minimum square footage requirements for area in lot 2 totals 18,826 square feet. Minimum square footage requirements for frontage in lot 2 totals 39 square feet.

As submitted, lot 2 fails the comparability analysis for lot area. However, the applicant has agreed to submit a revised plat for the lots, each of which passes lot comparability.

A two lot subdivision that passes lot comparability ordinarily could be approved administratively. In this case, notices were mailed to area residents before the applicant agreed to expand Lot 2 in order to meet comparability requirements, so the item remains on the agenda.

Staff Recommendation - Staff recommends approval with conditions, including the condition that the applicant resubmits a revised plat, meeting lot comparability for area of lot 2 within 30 days.

PUBLIC WORKS RECOMMENDATION

- 1. Show and dimension right of way along Ben Allen Road at property corners. Dimension from center line
- 2. Driveway to meet all Department of Public Works requirements.

CONDITIONS

- 1. Applicant must resubmit revised plat meeting minimum lot comparability for area of lot 2 within 30 days.
- 2. The requirements of the Department of Public Works shall be met prior to the recording of the final plat.
- 3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.

Approved with conditions, (7-0) *Consent Agenda*

Resolution No. RS2007-212

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-134U-05 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

- 1. Applicant must resubmit revised plat meeting minimum lot comparability for area of lot 2 within 30 days.
- 2. The requirements of the Department of Public Works shall be met prior to the recording of the final plat.
- 3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.”

- 18. **2007S-135A-07**
West Meade Hills, Sec. 3, Lot 72, Setback Amendment
Map 115-05, Parcel 010
Subarea 7 (2000)
Council District 23 - Emily Evans

A request to amend the front setback from 120 feet to 110 feet at 875 Rodney Drive, approximately 330 feet south of Rhonda Drive (0.94 acres), zoned RS40, requested by Carol Harrah, owner.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - A request to amend the front setback from 120 feet to 110 feet at 875 Rodney Drive, approximately 330 feet south of Rhonda Drive (0.94 acres), zoned Single-Family Residential (RS40).

ZONING

RS40 District -RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre.

PLAN DETAILS -This amendment proposes to change the front setback from 120 feet to 110 feet.

Staff Recommendation - The applicant was unable to obtain the signatures of his neighbors. Under Planning Department internal policies, if the adjacent property owners will sign a document agreeing to a setback amendment, staff will approve the request administratively if it does not appear the request would have a negative effect on the area.

West Meade Hills Sections 1 through 8 all contain platted setbacks. On the west side of this section of Rodney

Drive, the platted setback varies from 80 feet to 120 feet. The two lots with less than 120' setback are corner lots where the reduction is needed for an adequate building envelope. As it exists now, a straight line of houses is present, even with the varied platted setback. Because the setback amendment would be inconsistent with the existing character of Rodney Drive, and specifically the two adjacent houses, staff recommends disapproval.

Mr. Bernhardt announced that the applicant had called and stated that based on the staff recommendation, they were not going to appear before the Commission to present the case.

He stated that were many people at the meeting who were opposed to the request as well as Councilwoman Evans.

Mr. Loring moved and Mr. Cummings seconded the motion, which passed unanimously, to disapprove the request to amend the front setbacks of 2007S-135A-07. (7-0)

Resolution No. RS2007-213

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-135A-07 is DISAPPROVED. (7-0)”

19. 2007S-138U-12

Oak Hill Townhomes, Ph. 1
Map 161-00, Part of Parcel 018
Subarea 12 (2004)
Council District 27 -Randy Foster

A request for final plat approval to create 1 lot and dedicate drainage and utility easements on a portion of property located at 736 McMurray Drive, approximately 1,240 feet east of Edmondson Pike (6.64 acres), zoned R8 and located within a Planned Unit Development, requested by Centex Homes, owner, Ragan-Smith Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Final Plat Approval

A request for final plat approval to create one lot and dedicate drainage and utility easements on a portion located at 736 McMurray Drive, approximately 1,240 feet east of Edmondson Pike (6.64 acres), zoned R8 and located within a Planned Unit Development.

ZONING

R8-~~R8~~ requires a minimum 8,000 square foot and is intended for single family dwellings and duplexes at an overall density of 5.41 dwelling units per acre including 25% duplex lots.

PLAN DETAILS -This final plat application proposes one lot and the dedication of drainage and utility easements within a residential Planned Unit Development located along the north side of McMurray Drive.

History: This lot is part of a Residential PUD that was originally adopted by the Metro Council in 1978. The Council-approved plan allowed for the development of 270 units with access onto McMurray Lane & McMurray Court. In 1985, the plan was revised by the Commission down to a 162-townhomes and an assisted-living facility. At the July 8, 2004, meeting, the Planning Commission approved a revision to the preliminary PUD plan to allow 218 units with access to McMurray Drive only, while the applicant's plan called for 240 units with access to McMurray Court and McMurray Lane.

In September 2006, the Planning Commission approved a further revision to the preliminary plan, and a final site plan, that included a reduction in units from the 218 approved in 2004, to 206 townhomes.

The proposed lot is for a portion of the site that includes 37 of the 206 total townhomes within the PUD. The access point along McMurray Drive remains the same as was approved with the final PUD plan.

Staff Recommendation -Staff recommends approval with minor corrections to the plat since the proposed final plat is consistent with the preliminary and final plans that were approved by the Planning Commission on September 28, 2006.

The proposed request ordinarily would be approved administratively by the Planning Department staff. Public notices were inadvertently sent to surrounding property owners, however, so staff has placed the item on the Commission’s agenda.

CONDITION - Prior to recordation of the final plat, the plat shall be revised to remove any reference to signage along McMurray Drive, retaining walls, and townhome units graphically depicted on the plat since the purpose of this plat is only to create one lot of record. These items are appropriate for the final site plan and construction documents, not the final plat. All easements must be shown on the plat, however.

Approved with conditions, (7-0) *Consent Agenda*

Resolution No. RS2007-214

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-138U-12 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to recordation of the final plat, the plat shall be revised to remove any reference to signage along McMurray Drive, retaining walls, and townhome units graphically depicted on the plat since the purpose of this plat is only to create one lot of record. These items are appropriate for the final site plan and construction documents, not the final plat. All easements must be shown on the plat, however..”

- 20. 2007S-141U-10**
 Douglas Avenue Estates
 Map 105-13, Parcel 283, 284
 Subarea 10 (2005)
 Council District 17 - Ronnie E. Greer

A request for final plat approval to create 3 lots on properties located at 931 and 935 S. Douglas Avenue, approximately 560 feet east of 10th Avenue South (1.0 acres), zoned R8, requested by Carter Little and Amanda Little, owners, Delle Land Surveying, surveyor.

STAFF RECOMMENDATION: Approve with conditions, including a variance to section 3-4.2.f of the Metro Subdivision Regulations to allow the frontage be no less than 25% of the lot depth.

APPLICANT REQUEST - A request for final plat approval to create 3 lots on properties located at 931 and 935 S. Douglas Avenue, approximately 560 feet east of 10th Avenue South (1.0 acres), zoned One and Two-Family Residential (R8).

ZONING

R8 District - R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.41 dwelling units per acre including 25% duplex lots.

PLAN DETAILS -The final plat creates three lots.

Lot Comparability -Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street:	Requirements:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
Douglas Avenue	8,840	44.0

As proposed, the two new lots have the following areas and street frontages:

- 13,473 sq. ft. and 47 ft. of frontage in Lot 1,
- 13,481 sq. ft. and 47 ft. of frontage in Lot 2,
- 17,634 sq. ft. and 62 ft. of frontage in Lot 3.

All three lots pass lot comparability.

Section 3-4.2.f - Section 3-4.2.f of the subdivision regulations requires that lot frontage be not less than 25% of the average lot depth, also known as the 4:1 rule. Lots 1 and 2 have frontages of 47 feet and Lot 3 has a frontage of 62 feet, and depths of approximately 286 feet. The frontages of lots 1 and 2 are only 16% of the average lot depth, and the frontage of the third lot is only 21% of the average lot depth.

Variance to Section 3-4.2.f -Section 1-11.1 of the Subdivision Regulations allows the Planning Commission to grant variances to the regulations if it finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations. Due to the existing lot pattern within this area, alternatives to deep, narrow lots are not practical.

Staff Recommendation -Staff recommends approval with conditions, including a variance to section 3-4.2.f of the Metro Subdivision Regulations to allow the frontage be less than 25% of the lot depth.

FIRE MARSHAL RECOMMENDATION

1. Fire hydrants shall flow a minimum of 1000 GPM’s at 20 psi residual flow at the most remote hydrant.
2. Water pressure is low. An up to date flow test is recommended

CONDITIONS

1. The requirements of the Metropolitan Fire Marshal’s Office for adequate water supply for fire protection must be met prior to the issuance of any building permits.
2. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.

Approved with conditions, including a variance to section 3-4.2f of the Metro Subdivision Regulations to allow the frontage be no less than 25% of the lot depth, (7-0) *Consent Agenda*

Resolution No. RS2007-215

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-141U-10 is **APPROVED WITH CONDITIONS, including a variance to section 3-4.2.f of the Metro Subdivision Regulations to allow the frontage to be less than 25% of the lot depth.** (7-0)

Conditions of Approval:

1. The requirements of the Metropolitan Fire Marshal’s Office for adequate water supply for fire protection must be met prior to the issuance of any building permits.
2. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.”

XII. REVISIONS AND FINAL DEVELOPMENT PLANS

21. 116-69-G-06

Harpeth Hills Animal Hospital PUD (Laser Tag)
 Map 142-14-0-A, Parcel 002
 Subarea 6 (2003)
 Council District 35 - Charlie Tygard

A request to revise the preliminary and for final approval for a portion of a Planned Unit Development located at 357 Clofton Drive, at the northeast corner of Old Harding Pike and Clofton Drive (1.37 acres), to permit a 2,400 square foot commercial amusement indoor facility, zoned CL, requested by Civil & Environmental Engineering Services LLC, applicant, for Bellevue Station Center.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Revise Preliminary & Final PUD

A request to revise the preliminary and for final approval of a Planned Unit Development located at 357 Clofton Drive at the northeast corner of Old Harding and Clofton Drive (1.37 acres), to permit a 2,400 square foot commercial amusement indoor facility zoned Commercial Limited (CL).

PLAN DETAILS - The proposed plan calls for a 2,400 square foot indoor Laser Tag facility as an accessory use to the existing restaurant. The proposed indoor laser tag facility will be located within an existing one and a half story retail building. The building contains nine commercial units and is within a commercial planned unit development.

Staff Recommendation - As the proposed use will be an accessory use to an existing restaurant, it is permitted in the previously approved PUD. Staff recommends approval with conditions.

PUBLIC WORKS RECOMMENDATION

1. Along Old Harding Pike, label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4-84' ROW).

CONDITIONS

1. Along Old Harding Pike, label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4-84' ROW).
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
6. This final approval includes conditions that require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

Approved with conditions, (7-0) *Consent Agenda*

Resolution No. RS2007-216

“BE IT RESOLVED by The Metropolitan Planning Commission that 116-69-G-06 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Along Old Harding Pike, label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4-84' ROW).

2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
6. This final approval includes conditions that require correction/revision of the plans. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds."

- 22. 94-83-G-06**
Williamsport Subdivision, Section II (Sidewalk Removal)
Map 128-03-B, Various Parcels
Subarea 6 (2003)
Council District 22 - Eric Crafton

A request to revise the preliminary plan and for final approval of a Planned Unit Development located on the east side of Sawyer Brown Road, (12.9 acres), to remove the approved sidewalk along one side of Williamsport Court, Briskberry Court, and Huntwood Place, zoned R20, requested by Barry Construction Company, applicant, for various owners.

STAFF RECOMMENDATION: Disapprove.

The Metropolitan Planning Commission DEFERRED Planned Unit Development 94-83-G-06 to July 26, 2007, at the request of the applicant. (7-0)

- 23. 2004UD-002G-14**
Villages of Riverwood, Phase 1
Map 097-00, Parcels 005, 158
Subarea 14 (2004)
Council District 14 - Harold White

A request for final plan approval in a portion of the Villages of Riverwood Urban Design Overlay located along the south side of Hoggett Ford Road, eastern side of Dodson Chapel Road, and north of I-40 (26.74 acres) to permit 111 single-family lots, zoned RM9, requested by Ragan-Smith Associates Inc., applicant, for Chris Pardue and Beazer Homes, owners.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Final Approval

A request for final plan approval for a portion of the Villages of Riverwood Urban Design Overlay located along the south side of Hoggett Ford Road and along the eastern side of Dodson Chapel Road, north of I-40 (26.74 acres) to permit 111 single-family detached and attached lots, zoned Multi-Family Residential (RM9).

PROJECT HISTORY - In 2004, the preliminary master plan was approved for 1,978 total dwelling units and

65,000 square feet of mixed-use development, including office and retail. The mixed-use area of development is located near the center of the site, adjacent to the assisted-living facility.

The overall plan proposes single-family detached units with lot widths ranging between 30 and 50 feet. The plan also includes townhomes in the northeast corner of the site along Dodson Chapel Road and Hoggett Ford Road. In the center of the UDO, where the majority of steep hillsides are located, the plan provides larger single-family lots that are located along curvilinear spine roads that avoid the more difficult areas of topography. Directly abutting the interstate and the southern portion of Dodson Chapel Road are the 500 apartment units that will be constructed in a later phase as flats in several clusters of apartment buildings. Lastly, the southernmost portion of the site, adjacent to the Stones River, will contain the 776-unit assisted living facility in a later phase.

Development Monitoring Chart

	Approved	Requested Final Approval to Date
Assisted Living	776	0
Apartments	500	0
Single Family Attached and Detached	702	111
Total Units	1978	111

Access - Access to the development is approved from four points on Hoggett Ford Road and one point on Dodson Chapel. The original approval requires that the portions of Dodson Chapel Road and Hoggett Ford Road adjacent to the project site be improved.

Current Request - The current request is for 111 single-family attached and detached dwelling units and is consistent with the preliminary master plan. Approximately 4.56 acres (17% of this phase) of open space is included with the request. The proposed east-west streets are divided, landscaped median boulevards which contain double rows of street trees. The mixture of housing types is an important element of this plan which will create a diverse, interconnected neighborhood.

Staff Recommendation- Staff recommends approval with conditions, including all of the conditions that were made part of the original council bill as follows:

1. The maximum building coverage of the assisted-living facility shown on the preliminary UDO plan shall be no more than 25 percent.
2. The property owner must offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students. This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the locational criteria of the Metropolitan Board of Education and shall be within the McGavock High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site will be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement.
3. The Dedicated Conservation Greenway Public Access Trail Easement Area shall be dedicated and shall include all of the floodway plus 75 feet (50-foot floodway buffer plus 25-foot greenway/conservation easement) or some other distance / amount as approved by the Greenways Commission prior to the first final UDO approval by the Planning Commission.
4. There shall be no outside advertising or marketing for the accessory uses that are provided within the Assisted Living Facility.
5. A Tree Preservation / Removal and Grading Boundary Plan (24x36) shall be submitted prior to, or in conjunction with, the submittal of the Final UDO application.
6. This preliminary plan is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
7. Dedicate right-of-way adjacent to UDO property on Dodson Chapel and Hoggett Ford Road consistent with the Major Street Plan.
8. Provide required off-street parking for the recreational facilities and the mixed-use areas as per metro

- zoning code 17.20.030, or alternate provisions as allowed by the UDO process in section 17.36.320.
9. At any site location where on-street parking is used to meet required parking, handicap spaces meeting the ADA requirements shall be provided.
 10. No parking will be allowed within 30 feet of a crosswalk or intersection as per Metro T&P Code 12.40.040.
 11. Parking will be prohibited on the Main Entry roadway due to narrow width.
 12. Parking may be prohibited on one side of the Local and Minor Local streets.
 13. Parking will be prohibited on the north side of Hoggett Ford Blvd.
 14. Parking will be prohibited on one side of the One-Way streets.
 15. Parking is prohibited in all alleys per T&P code 12.40.060.
 16. The trails shall be located to eliminate mid-block pedestrian crossings.
 17. Driveway profiles to be designed at 10 percent or less as per Subdivision Regulations Appendix C.

Dodson Chapel

18. Construct Dodson Chapel Road along the frontage of the property consistent with the requirement of the Major Street Plan per section 2-7.1 A. of the Subdivision Regulations.

Central & Dodson Chapel

19. Construct northbound left turn lane on Dodson Chapel at Central Pike with 200 ft of storage length and transition per AASHTO standards.
20. Construct southbound left turn lane on Dodson Chapel with 200 ft of storage and transition per AASHTO standards.
21. Construct an eastbound left turn lane with 75 ft of storage and transition per AASHTO standards.
22. Reconstruct intersection to provide adequate lane alignment.

Dodson Chapel & Hoggett Ford Road

23. Construct Hoggett Ford Road with left and right turn lanes with 100 ft of storage length at Dodson Chapel Road. Any on street parking will be prohibited 30 ft to crosswalks. Cross section in UDO plan will need to be revised at intersection with Dodson Chapel Rd.
24. Construct northbound left turn lane with 100ft of storage on Dodson Chapel Road at Hoggett Ford Road and associated tapers.
25. Conduct traffic counts and signal warrant analysis at each 250 combined dwelling units and/or beds and submit to Traffic & Parking Division of Public Works. If a signal is determined to be appropriate by the Transportation Manager and the Traffic and Parking Commission, submit signal plans for approval and install a traffic signal using mast arms. The counts and analysis at Dodson Chapel and Hoggett Ford Road will start after improvements are made to Hoggett Ford Road.

Dodson Chapel & Main Project Access

26. Construct main project access road with left and right turn lanes with 100 ft of storage length at Dodson Chapel Road. No on street parking will be allowed. Cross section in UDO plan will need to be revised at intersection with Dodson Chapel Road.
27. Construct northbound left turn lane with 100 ft of storage on Dodson Chapel Road at main project access road.
28. Construct a southbound right turn lane with 150 ft on Dodson Chapel at main project access road.
29. Conduct traffic counts and signal warrant analysis at each 250 combined dwelling units and/or beds and submit to Traffic & Parking Division of Public Works. If a signal is determined to be appropriate by the Transportation Manager and the Traffic and Parking Commission, submit signal plans for approval and install a traffic signal using mast arms.

Hoggett Ford Road

30. Reconstruct the road pavement northeast of the proposed median to provide a minimum roadway width of 15' and provide adequate transition to existing Hoggett Ford Rd. pavement past property frontage.

Dodson Chapel & Bell Road

31. Conduct traffic counts and signal warrant analysis at each 250 combined dwelling units and/or beds and submit to Traffic & Parking Division of Public Works. If a signal is determined to be appropriate by the Transportation Manager and the Traffic and Parking Commission, install a traffic signal using mast arms. Note this work will require a permit from the Corps of Engineers.

Dodson Chapel

32. Provide 400 feet of sight distance at all project driveways and intersections located on Dodson Chapel Road.
33. The maximum building coverage for the Assisted Living Facility building portion of the preliminary UDO document shall be limited to 25%.

PUBLIC WORKS RECOMMENDATION -The developers' construction drawings shall comply with the design regulations established by the Department of Public Works. Final Design may vary based on field conditions.

STORMWATER RECOMMENDATION - Approved with minor modifications

CONDITIONS

1. No grading or tree removal shall take place outside of the boundary of the improvements as shown on the plans as submitted April 18, 2007.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until five (5) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
8. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.
9. All conditions included in the original council bill shall still apply.

Approved with conditions, (7-0) ***Consent Agenda***

Resolution No. RS2007-217

"BE IT RESOLVED by The Metropolitan Planning Commission that 2004UD-002G-14 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. No grading or tree removal shall take place outside of the boundary of the improvements as shown on the plans as submitted April 18, 2007.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.

3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
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8. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.
9. All conditions included in the original council bill shall still apply."

XIII. OTHER BUSINESS

24. New employee contract for Chin-Cheng Chen.
25. Executive Director Reports
26. Legislative Update
27. Extension of a Preliminary Plat for Brentwood Knoll subdivision to February 25, 2008.

Approved (7-0), *Consent Agenda*

XIV. ADJOURNMENT

The meeting adjourned at 6:20 p.m.

Chairman

Secretary



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